

### REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Applicant has amended the abstract and claims as suggested by the Examiner. Applicant believes that the objections to the abstract and claims 1, 2 and 6 have been overcome.

Regarding the 35 U.S.C. §112 rejections, Applicant has amended claim 3 to read "cylindrical in shape" instead of "a can-shaped container." It is Applicant's belief that amended claim 3 is now sufficiently definite.

Claim 4 as amended reads: "A metal-air cell as claimed in Claim 1, further comprising a gas-permeable membrane disposed around said cathode and along interior sidewalls of said container to prevent moisture from exiting the cell." The language "interior sidewalls of said container" is believed to have antecedent basis because interior sidewalls are inherent to every container and thus are a part or feature of the element "container" rather than a separate element.

Applicant acknowledges the references cited by the Examiner as being art of general interest and background information only.

It is Applicant's belief that claims 1-4 and 6, as amended above, are in condition for allowance.

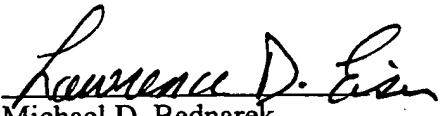
In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is

Serial No.: 09/501,602  
Art Unit: 1745  
Attorney's Docket No.: TTX0163-US

desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

Respectfully submitted,

MING YU HUANG

By:  (41,009)  
for Michael D. Bednarek  
Registration No. 32,329

SHAW PITTMAN LLP  
1650 Tysons Boulevard  
McLean, VA 22102  
Tel: 703/770-7606

Date: **October 16, 2001**

Attachments: Amended Abstract w/ Markings  
Amended Claims w/ Markings

MDB/MSL/lrhj

**VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS**

1. (Amended) A metal-air cell having an anode/electrolyte and a cathode with a separator positioned there-between, said cell comprising:
  - a container having an upper interior surface and a lower interior surface for housing said anode/electrolyte and said cathode;
  - a spring disposed on said upper interior surface;
  - a cover electrically connected to said cathode and having at least one recess; and
  - at least one o-ring disposed on said lower interior surface facing said at least one recess;wherein said spring is compressed when a [predetermined] force is applied so that said at least one o-ring and said at least one recess are separated, thereby forming an inlet to introduce air for electrochemical reaction; and said spring is expanded when said [predetermined] force is removed so that said at least one o-ring is inserted within said at least one recess to obstruct the air.
2. (Amended) A metal-air cell as claimed in Claim 1, wherein said [predetermined] force is applied by a cell holder.
3. (Amended) A metal-air cell as claimed in Claim 1, wherein said container is [a can-shaped container] cylindrical in shape.
4. (Amended) A metal-air cell a claimed in Claim 1, further comprising a gas-permeable membrane disposed around said cathode and along [the] interior sidewalls of said container to prevent moisture from exiting the cell.
6. (Amended) A metal-air cell as claimed in Claim 1, wherein said anode [is consisted of] comprises zinc.

Serial No.: 09/501,602

Art Unit: 1745

Attorney's Docket No.: TTX0163-US

**VERSION WITH MARKINGS TO SHOW CHANGES MADE TO ABSTRACT**

A metal-air cell having an anode/electrolyte and a cathode [is disclosed. The metal-air cell comprises] includes a container having an upper interior surface and a lower interior surface for housing [said] the anode/electrolyte and [said] the cathode; a spring disposed on [said] the upper interior surface; a cover electrically connected to [said] the cathode, and having at least one recess; and at least one o-ring disposed on [said] the lower interior surface facing [said] the at least one recess. The spring is compressed when a [predetermined] force is applied so that [said] the at least one o-ring and [said] the at least one recess are separated, thereby forming an inlet to introduce air for electrochemical reaction. The spring is expanded when [said] the [predetermined] force is removed so that [said] the at least one o-ring is inserted within [said] the at least one recess to obstruct the air.

Document #: 1153148 v.1